

STATEMENT OF FINDINGS
SANGAMON EXPERIMENTAL SEDIMENT TRAP
LA GRANGE POOL, ILLINOIS WATERWAY RIVER MILE 88.9L

I. Project Description.

A. This statement concerns a proposal by the Rock Island District of the U.S. Army Corps of Engineers (District) to hydraulically dredge a 5.1-acre experimental sediment trap in the La Grange Pool on the Illinois Waterway at River Mile 88.9L (left descending bank) near Beardstown, Illinois. The Rock Island District would also dredge a pilot channel for workboat and pipeline access to the placement site, also to be constructed by the District. The placement site is an open water area located within Muscooten Bay in Beardstown harbor. The experimental sediment trap would be dredged one time in order to evaluate the effectiveness of the potential construction of a permanent sediment trap in that location. Approximately 0.4 acre of wetland would be impacted for construction of the pilot channel, and approximately 3 acres of open water would be filled for construction and utilization of the placement site.

B. The draft EA for this project stated that the mitigation site would be selected based on existing information and review of comments received during the public review period. Mitigation Site 3 has been selected as the preferred mitigation site. This site was recommended by the resource agencies, and is expected to have a greater likelihood of success than the alternative Site 2. Site 3 is located near frog breeding ponds built by the District in 2002-2003 as mitigation for Illinois Chorus Frog impacts. The District utilized lessons learned resulting from that previous construction effort to design a mitigation plan that is expected to have appropriate soils, hydrology, and vegetation to achieve a wetland condition. The mitigation drawing is attached to this package. The narrative mitigation plan is unchanged from the plan located in the draft Appendix EA-D, with the exception that the discussion of Mitigation Site 2 is no longer relevant if Site 3 is constructed. The City of Beardstown, which will perform the mitigation site acquisition, construction, and monitoring, will apply for an Incidental Take permit from the Illinois Department of Natural Resources since Mitigation Site 3 is located in an area populated by the state-threatened Illinois Chorus Frog. Use of this mitigation site is dependent upon receipt of the Incidental Take permit. The mitigation site will be constructed within one year after construction of the pilot channel, which is where the wetland impacts will occur. If the Incidental Take permit is not received with adequate time to construct Site 3 within a year after the wetland impact takes place, the District will move forward with constructing Site 2.

II. Public Interest Review. Joint Public Notice No. CEMVR-OD-436230 for the recommended mitigation Site 3 was issued 13 February 2004 and expired on 4 March 2004. The Public Notice was sent to Post Offices; appropriate City, State, and Federal agencies; and other interested parties. A mailing list for the Joint Public Notice is included in the permanent file at the Rock Island District. A copy of the Joint Public Notice is attached to this package. The floodplain permit from the Illinois Department of Natural Resources/Office of Water Resources, dated 24 March 2004, is also attached.

III. Public Review Comments. The following is a list, summarizing the comments received during the 30-day public review period for the EA and the 20-day review period for the Joint Public Notice. They appear in date order, and each is followed by the Rock Island District response. A copy of each letter is attached to this package.

A. Telephone conversation with Dr. Bob Henry, private citizen, 26 January 2004. He supports the use of Site 2 as a compensatory mitigation site.

RESPONSE: Site 3 has been selected as the preferred mitigation site. This site has a higher likelihood of success due to the recent creation of similar wetland areas by the Rock Island District in the vicinity. Site 2 would likely require ongoing maintenance to keep the invasive species, reed canarygrass, from recolonizing the site and greatly reducing the site's wetland functions and values. This species is not a concern at Site 3.

B. Letter from Christine M. Reed, District Engineer, Illinois Department of Transportation (DOT), dated 29 January 2004, stating that the potential mitigation Site 3 would be a direct conflict for the approved US 67 transportation project from Jacksonville to Macomb since the proposed Highway 67 project would impact the parcel proposed for Site 3. They urge the Corps to dismiss the proposal of using mitigation Site 3. They also stated that they are constructing a wetland mitigation bank south of Beardstown and would be open to discussions for the use of that bank to mitigate for this project's wetland impacts.

RESPONSE: After receipt of the above letter, Gail Clingerman of my staff contacted Dennis O'Connell at the Illinois DOT to discuss. They had spoken in October about avoiding the Highway 67 right-of-way, and due to those conversations, the Site 3 site boundary had been revised so that the entire site as shown in the EA lies outside of the right-of-way. Mr. O'Connell stated that the right-of-way line could change, and that there may be additional construction impacts outside of the right-of-way, so they would prefer that we avoid Site 3 altogether. After further discussions, Mr. O'Connell stated that the DOT might be more open to the use of Site 3 if a more specific site plan were developed, since only approximately two acres are proposed to be used for mitigation out of the larger overall Site 3 area. The construction impacts may be able to avoid a specific two-acre site. The Site 3 drawing was emailed to Mr. O'Connell, who then relayed that the DOT opposes the use of Site 3 since that will preclude the flexibility they would like to have for future design changes of the Highway 67 relocation project in Beardstown. A conference call was held with the Illinois Department of Natural Resources, the US Fish and Wildlife Service, the DOT, and the Corps to discuss the use of Site 3, and the outcome was that the agencies that participated in the conference call agreed to consider the use of a proposed mitigation bank located south of Beardstown as an alternative to Site 3. The mitigation bank does not yet have a signed banking agreement, and is designated as a single-user bank for the DOT only. In addition, this mitigation alternative was not included in the EA public review or Section 404 public notice. The use of the mitigation bank is therefore not a viable alternative at this time. The two alternatives identified in the EA and 404 public notice are Sites 2 and 3. The District prefers the use of Site 3 due to agency comments and a higher likelihood of success, although Site 2 remains an alternative if Site 3 becomes infeasible.

C. Letter from John Froman, Chief, Peoria Tribe of Indians of Oklahoma, dated 18 February 2004, stating that the Peoria Tribe has no objections to the proposed construction, but if any human skeletal remains or other objects falling under the Native American Graves Protection and Repatriation Act (NAGPRA) are uncovered, they ask that all construction be halted and the appropriate persons contacted.

RESPONSE: Page EA-23 of the EA states that “if human remains, funerary objects, sacred objects, or objects of cultural patrimony are encountered or collected, the Corps will comply with all provisions outlined in the appropriate state acts, statutes, guidance, provisions, etc.” The Peoria Tribe, the State Archaeologist, and the State Historic Preservation Officer would be contacted if human remains were uncovered.

D. Letter from Zach Pahmahmie, Tribal Chairman and NAGPRA Representative, Prairie Band Potawatomi Nation, dated 18 February 2004, stating that they have no objections to the project, but they request to be contacted if any inadvertent discoveries are uncovered.

RESPONSE: The Prairie Band Potawatomi Nation would be contacted if any historic cultural resources were uncovered at the project site.

E. Letter from Robert Schanzle, Permit Program Manager, Office of Realty and Environmental Planning, Illinois Department of Natural Resources, dated 19 February 2004, stating that they continue to support the use of mitigation Site 3. They also ask that the Rock Island District coordinate closely with the Illinois DOT to avoid potential conflicts with Highway 67.

RESPONSE: The Corps’ Rock Island District has selected mitigation Site 3 as the preferred mitigation site. We will continue to coordinate with the Illinois DOT to ensure that the mitigation site is located in an area that will be avoided by Highway 67 construction.

F. Letter from Richard Nelson, Supervisor, U.S. Fish and Wildlife Service, Rock Island Field Office, dated 23 February 2004, stating that they concur with our findings that the project is not likely to affect any federally listed endangered species. They also state that Site 2 is unacceptable for mitigation, and Site 3 is their recommended mitigation site. They object to the signing of the FONSI and the issuance of a Section 404 permit before a specific and adequate mitigation plan has been identified.

RESPONSE: The Rock Island District has selected mitigation Site 3 as the preferred mitigation plan. A plan view drawing of the mitigation site is attached to this package since one was not included in the EA.

G. Letter from Kenneth Westlake, Chief, Environmental Planning and Evaluation Branch, U.S. Environmental Protection Agency (EPA), Region 5, dated 23 February 2004, stating that they have concerns with wetland mitigation and cumulative impacts. They believe the EA does not fully address cumulative impacts and suggest items to be included in a complete cumulative impact evaluation. They also support the use of mitigation Site 3, and suggest that the Rock Island District discuss the site placement with the Illinois DOT, the Fish and Wildlife Service,

and/or the Illinois Department of Natural Resources. They recommend that a revised EA be written and that the FONSI not be signed before these issues are addressed.

RESPONSE: The Rock Island District has selected mitigation Site 3 as the preferred mitigation site, and will be coordinating with the Illinois DOT to ensure appropriate placement of the site. The following paragraph is added to the EA cumulative impacts section in order to complete the cumulative impacts evaluation in response to the U.S. EPA comments: The reasonably foreseeable future condition of the harbor is that the City of Beardstown would periodically re-dredge the pilot channel in order to maintain boat access from the Illinois River to the proposed marina. The City would not impact wetlands solely as a result of the need for dredged material placement since they desire to raise the proposed parking lot area at the site of the proposed placement site for this project up to the elevation of the existing adjacent levee. They also hope to raise the existing peninsula by approximately 6 feet above the existing elevation. It is anticipated that the City would continue to place material dredged from the pilot channel as needed into the proposed placement site into the foreseeable future. Water quality issues associated with the placement site into the existing open water area of the marina are discussed in the 404(b)(1) Evaluation attached to the EA. If the marina were built as proposed by the City of Beardstown, the water quality and wildlife habitat of the existing Muscooten Bay would be expected to be reduced due to the much higher proposed usage of the proposed marina by motorized boats and recreational users. The water quality reduction would result from oil and gas emissions from the boats, as well as from increased turbidity resulting from the boat traffic. The wildlife habitat reduction would result from increased noise levels within Muscooten Bay and from potential impacts to existing feeding areas for wading birds within the existing mudflats due to expected water quality impacts. The City of Beardstown would be required to obtain any necessary permits, such as a section 404 and 401 permits under the Clean Water Act. The City of Beardstown is interested in a redevelopment plan within their downtown area. The connection of the proposed marina to the Illinois River could assist the City in pursuing their redevelopment plan. That plan is generally located behind the levee and floodwall in existing developed areas, however, and no environmental impacts would be expected from implementation of the redevelopment plan.

H. Letter from Robert W. Schanzle, Permit Program Manager, Illinois Department of Natural Resources, dated 26 February 2004, stating that they have no objections to the issuance of the 404 permit associated with this project.

RESPONSE: None required.

I. Letter from Kevin Pierard, Chief, Watersheds and Wetlands Branch, U.S. EPA, Region 5, dated 27 February 2004, stating that the Illinois River is listed on the 2002 Clean Water Act Section 303(d) list by the State of Illinois as an impaired waterbody, and the causes of impairment on this segment of the Illinois River are nutrients and sediment. The letter states that we should not authorize the project if it will result in further impairment of the listed waterbody.

RESPONSE: This project will cause the permanent filling of approximately 3 acres of open water within Muscooten Bay for the placement site. The material that enters the placement site is not expected to migrate into the Illinois River channel, however. The construction of the

sediment trap and pilot channel are not expected to increase sedimentation or nutrient levels within the Illinois River.

J. Letter from Anthony P. Whitehorn, Tribal Enterprise Manager, Osage Tribal Council, dated 27 February 2004, stating that the project site could have religious or cultural significance to the Osage Tribe being their former reservation and homeland. They request that their office be contacted if construction activities expose any Osage archaeological materials.

RESPONSE: The tribe will be contacted if any archaeological materials are found during site construction activities.

K. Letter from Anne E. Haaker, Deputy State Historic Preservation Officer (SHPO), Illinois Historic Preservation Agency, dated 3 March 2004, stating that a Phase I archaeological survey will be required within the project area.

RESPONSE: The Rock Island District will comply with all SHPO requirements, including a Phase I archaeological survey where needed.

L. Three other comments have been received in association with this project, although they were not received as part of the public comment period associated with the EA. These are as follows:

1. A participant in the Illinois River Ecosystem Restoration project public meeting in Mt. Sterling, Illinois, on 1 December 2003, expressed concerns with this project. She stated that we should not need to mitigate for project impacts since we're creating deep-water habitat through dredging the sediment trap and access channel. She also expressed a concern with filling in part of the open water marina area for the temporary sediment trap project, since additional dredging will be needed in the area, and there is a lack of suitable placement sites in the area. She also stated that we should find a way to keep the sediment in place in the watershed to prevent it from coming down the Sangamon River in the first place.

RESPONSE: Dredging of the sediment trap and pilot channel are short-term actions that are not expected to provide deep-water habitat for any species. They are expected to rapidly fill with sediment, and do not replace the wetland functions and values to be impacted through creation of the pilot channel. The Corps' Rock Island District plans to utilize an open water placement site that was originally proposed by the City of Beardstown to capture the sediments to be dredged by the City to create adequate depths within the marina area. No additional open water areas are proposed to be filled by the District. Many City, State, and Federal initiatives have been developed to attempt to prevent sediment from eroding from primarily agricultural fields in the watershed and causing sedimentation problems downstream. This project focuses only on the creation of an experimental sediment trap to benefit the operation and maintenance of the 9-foot navigation channel project in the Illinois Waterway, and does not include any authority to prevent erosion sedimentation upstream in the watershed.

2. The City of Beardstown provided a letter dated 13 January 2004, stating that they agree to perform the necessary wetland mitigation for this project.

RESPONSE. None required.

3. Letter from Tom Flattery, Director, Office of Realty and Environmental Planning, Illinois Department of Natural Resources (DNR), dated 26 March 2004, stating that the DNR supports the Illinois Department of Transportation's (DOT) proposal that the District perform the required wetland mitigation at a mitigation bank soon to be developed by the DOT south of Beardstown. This would allow for in-kind replacement of forested wetland, although it is farther away from the impact area than is Mitigation Site 3.

RESPONSE: The District is proceeding with performing the mitigation at Site 3, rather than the future mitigation bank. The mitigation bank does not yet have a signed banking agreement and therefore no credits are available at the mitigation bank for the District's use at this time. The mitigation bank is also currently proposed to be a single-user bank for use by the DOT only. The use of the bank by the District would require an exception to be signed by all of the signatories to the mitigation banking agreement. The Environmental Assessment and 404 public notice did not discuss the potential use of a mitigation bank, so the public has not had a chance to review that proposal. In addition, Mitigation Site 3 is located 100' outside of the right-of-way boundary as shown on the final Environmental Impact Statement for the Highway 67 reconstruction project. Mitigation Site 3 therefore continues to be the District's preferred mitigation alternative.

IV. Project Implementation Schedule. The project is anticipated to be constructed in two phases. The first phase will involve the preparation of the placement site and the mechanical dredging of the pilot channel. This phase is expected to be constructed in the spring or early summer of 2004. The second phase will involve the hydraulic dredging of the experimental sediment trap. This phase is expected to be constructed in the fall of 2004 or as funding and logistics allow. The compensatory mitigation site will be constructed within one year after construction of the first phase of the project, which is the phase that involves the wetland impacts.

V. Summary of Environmental Impact Review. An Environmental Assessment has been prepared for this project and circulated for public and agency review. No potentially significant adverse impacts were identified during the review process. Therefore, an EIS is not required for this project.

VI. Summary of Findings. I find that the implementation of the project, as proposed, and under the conditions set forth, and as prescribed by regulations published in 33 CFR, Parts 320 to 340, 40 CFR, Part 230 and 40 CFR, parts 1500-1508, is not contrary to the public interest.

8 Apr 2004

Date



Duane P. Gapinski
Colonel, U.S. Army
District Engineer



US Army Corps
of Engineers
Rock Island District

PUBLIC NOTICE

Applicant: U. S. Army Corps of Engineers

Date: February 13, 2004

Expires: March 4, 2004

CEMVR-OD-P-436230

Section: 404

Joint Public Notice
U. S. Army Corps of Engineers
Illinois Environmental Protection Agency
Illinois Department of Natural Resources/Office of Water Resources

1. **Applicant.** U. S. Army Corps of Engineers, Clock Tower Building, Rock Island, Illinois 61204-2004.
2. **Project Location.** Sections 10 and 11, Township 18 North, Range 12 West; near the City of Beardstown, Cass County, Illinois; approximate Illinois River mile 88.9 (left descending bank).

3. **Project Description.**

a. Purpose. The basic purpose of this project is to maintain appropriate project width and depth of the nine-foot commercial navigation channel on the Illinois Waterway to allow for the transport of commodities, etc. The overall project purpose of the project is to attempt to reduce downstream dredging needed through the construction of a sediment trap. The purpose of the experimental sediment trap project is to determine the rate at which the sediment trap fills and the grain size of the sediment that fills the trap in order to evaluate the potential for this type of sediment trap project to reduce future downstream maintenance dredging by capturing the sediment at a defined location.

b. Background. The U.S. Army Corps of Engineers, Rock Island District (District) is directed by Congress to maintain a 9-Foot Navigation Channel on the Illinois Waterway. Channel maintenance involves dredging of accumulated sediment to restore the channel to proper navigation dimensions to meet commercial navigation needs.

c. Proposed Project. The project purpose is to reduce future downstream dredging at chronic dredge cuts. One chronic dredge cut is located at Illinois Waterway river miles 86.2 to 89.5 near Beardstown, Illinois. This dredge cut is made up of two smaller dredge cuts – the Grape Island dredge cut at river mile 86.2 to 87.5 and the Beardstown cut at river mile 87.5 to 89.5. These collectively are referred to as the Beardstown dredge cut.

(1) **Sediment Trap.** An experimental sediment trap (approximately 5.1 acres in size with a depth of approximately 3 feet) will be excavated at the mouth of the Sangamon River in Beardstown. Approximately 24,200 cubic yards of sediment are proposed to be hydraulically dredged from the sediment trap. This experimental sediment trap will evaluate the effectiveness of a sediment trap in that location to enable better scheduling of dredging the Beardstown dredge cut and potentially to reduce the number of potential or imminent closures within the navigation channel. These benefits may occur because some sediment may be captured within the confines of the sediment trap before it can continue downstream to be deposited within the chronic dredge cut. If the District determines that the experimental sediment trap will have benefits to the maintenance of the navigation channel, it may evaluate the potential for maintaining a permanent sediment trap in that location or another location within the Sangamon River. Any permanent sediment trap will be evaluated under future environmental documentation.

(2) **Pilot Channel.** The previously excavated small boat channel will be re-excavated to create the pilot channel needed to allow for workboat and pipeline access between the sediment trap and the placement site within the Beardstown harbor. The channel allowed boats to go back and forth from the Illinois River to the Beardstown harbor. That channel has since mostly filled in with sediment deposited at the mouth of the Sangamon River, and boat access is currently only available between the Illinois River and the Beardstown harbor during high water. Approximately 7,000 cubic yards of material is expected to be mechanically dredged

to construct the pilot channel, which will be approximately 40 feet wide, 6 feet deep, and 850 feet long. The remaining area between the pilot channel and the placement site is currently deep enough to allow for access of the pipeline and workboat access. The pilot channel will be mechanically excavated and the excavated sediments will be placed behind the containment berm at the placement site within the Beardstown harbor. This channel must be constructed prior to the dredging of the sediment trap so that the access to the placement site is assured during low-water conditions. The pilot channel will be constructed during high water conditions so that the boats used for mechanical dredging can reach the placement site within the Beardstown harbor. If appropriate high water conditions do not occur in 2004, the pilot channel will be constructed during the next year that has the appropriate high water conditions. The sediment trap would be excavated when funding and logistics allow. Approximately 0.4 acre of riverine wetland will be impacted in order to create the pilot channel. This would be expected to fill back in over time and become vegetated with wetland species if the channel were again abandoned. The City of Beardstown, however, currently plans to re-open a marina within the harbor and utilize the pilot channel to allow boats to access the Illinois River from the marina.

(3) Dredged Material Placement. The dredged placement site is located along the left descending bank of the Illinois Waterway at approximate river mile 89.0. The approximately 300-foot-wide by 600-foot-long placement site (approximately 3 acres) is an open water area within the Beardstown harbor. A permanent containment berm will be constructed to hold the dredged material as it dewateres. The berm will be 12 feet in height, with 3:1 slopes on the riverside and 4:1 slopes on the containment side, and a 10-foot minimum top width. Sandy material used to construct the containment berm would be trucked to the placement site from the Beardstown Dredge Cut Dredged Material Management Plan Placement Site 1 at RM 87.7L. The placement site will be bordered by the containment berm to the northwest, the existing levee to the southwest and southeast, and the marina peninsula to the northeast. A drop structure would be installed in the containment berm after the mechanical dredging of the pilot channel and before the hydraulic dredging of the sediment trap to allow for adequate drainage of the placement site during hydraulic dredging. The City of Beardstown currently has plans to dredge the harbor to enable boat usage of a new marina in that area. Once the placement site has been filled to capacity and has sufficiently dewatered, the City of Beardstown currently plans to create a parking lot at the placement site. Once this is done, there will be no additional capacity in the placement site for dredged material. If the currently proposed experimental sediment trap is shown to provide benefits to the maintenance of the 9-foot navigation channel, a new placement site would need to be identified in order to dredge the sediment trap on a more permanent basis.

(4) Mitigation. Approximately 0.4 acre of wetland and mudflat habitat would be impacted to create a pilot channel to bring the hydraulic pipeline from the sediment trap to the placement site within the Beardstown harbor. Two mitigation alternatives have been considered. A decision on which compensatory mitigation site to utilize will be made after review of all public comments received.

- Alternative – wetland enhancement. This alternative involves the enhancement of approximately 1.7 acres of wetland by excavating the existing reed canary grass-dominated wetland approximately 2 feet in order to remove the top layer of silt and the reed canary grass rhizomes. Reed canary grass is an invasive species that provides minimal wildlife habitat. The top layer of silt over the original sandy substrate at the site was brought there through construction impacts from the adjacent roadway and medical complex. A culvert will be installed below the roadway that separates the mitigation site from the existing larger wetland complex to the west of the site. This would bring a surface water connection from the wetland complex into the mitigation site, along with seeds from the wetland plants in the larger wetland complex. The mitigation site is expected to revegetate with cattails, which dominate the larger wetland complex.
- Alternative – construction of frog ponds. This alternative involves the construction of a series of frog ponds to provide habitat for the State-threatened Illinois chorus frog and other wetland-dependent species. The frog ponds will be constructed on land adjacent to the Beardstown DMMP Placement Site 1, where the District constructed frog ponds in 2002 and 2003. Approximately 0.8 acre of wetlands would be created through the construction of the frog ponds.

(5) Coordination. The project has been coordinated with the following: Beardstown Sanitary District; City of Beardstown; Illinois Department of Natural Resources; Illinois Environmental Protection Agency; Illinois Department of Agriculture; Cass County Health Department; Illinois Historic Preservation Agency; United States Department of the Interior, Fish and Wildlife Service; and the United States Environmental Protection Agency, Region V.

4. Agency Review and Where to Reply.

a. Department of the Army, Corps of Engineers. The project plans are being processed under the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344).

b. State of Illinois.

(1) The applicant has applied to the Illinois Environmental Protection Agency (IEPA) for water quality certification, or waiver thereof, for the proposed activity in accordance with Section 401 of the Clean Water Act. Certification or waiver indicates that IEPA believes the activity will not violate applicable water quality standards. The review by the IEPA is conducted in accordance with the Illinois water quality standards under 35 Illinois Administrative Code Subtitle C. The water quality standards provide for the IEPA to review individual projects by providing an antidegradation assessment, which includes an evaluation of alternatives to any proposed increase in pollutant loading that may result from this activity. The "Fact Sheet" containing the antidegradation assessment for this proposed project may be found on the IEPA's web site, at www.epa.state.il.us/public-notice/. In the event that the IEPA is unable to publish the "Fact Sheet" corresponding to the timeframe of this Joint Public Notice, a separate public notice and "Fact Sheet" will be published by the IEPA at the web site identified above. You may also obtain a copy of the "Fact Sheet" by contacting the IEPA at the address or telephone number shown below. Written comments specifically concerning possible impacts to water quality should be addressed to: Illinois Environmental Protection Agency, Bureau of Water, Watershed Management Section, 1021 N. Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. A copy of the written comments should be provided to the Corps of Engineers. If you have any questions, please contact IEPA at (217) 782-3362.

(2) The Illinois Department of Natural Resources, Office of Natural Resources (IDNR/OWR), application is being processed pursuant to an Act in Relation to the Regulation of the Rivers, Lakes and Streams of the State of Illinois, Chapter 615, ILCS 5 (Illinois Compiled Statutes (1994)). Comments concerning the IDNR/OWR permit should be addressed to the Illinois Department of Natural Resources, Office of Water Resources, One Natural Resources Way, Springfield, Illinois 62702-1271, with a copy provided to the Corps of Engineers (see paragraph 11. of this public notice for address). Mr. Mike Diedrichsen, IDNR/OWR (217/782-3863), may be contacted for additional information.

5. **Historical/Archaeological.** The Corps of Engineers conducted an archival search for historic properties following the Policy and Procedures for the "Conduct of Underwater Historic Resource Surveys for Maintenance Dredging and Corps Activities" (DGL-89-01, March 1989). The Corps queried the most updated Illinois Geographic Information Systems (GIS) site file database. The proposed pilot channel includes portions of a landform comprised of sediments deposited during the formation of broad catastrophic flood paleochannels and is attributed with moderate potential for surface or near surface archeological deposits, with low potential for deeply buried archeological deposits. Based upon the archival research, no historic properties were previously documented within the proposed dredging area, dredged material placement site within the Beardstown harbor placement site, or the wetland mitigation alternatives. If human remains, funerary objects, sacred objects, or objects of cultural patrimony are encountered or collected, the Corps will comply with all provisions outlined in the appropriate state acts, statutes, guidance, provisions, etc., and any decisions regarding the treatment of human remains will be made recognizing the rights of lineal descendants, Tribes, and other Native American Indians and under consultation with the SHPO/THPO(s) and the other consulting parties, designated Tribal Coordinator, and/or other appropriate legal authority for future and expedient disposition or curation. When finds of human remains, funerary objects, sacred objects, or objects of cultural patrimony are encountered or collected from Federal lands or federally recognized tribal lands, the Corps will coordinate with the appropriate federally recognized Native American Tribes, pursuant to the Native American Graves Protection and Repatriation Act of 1990 (25 U.S.C. § 3001 *et seq.*) and its implementing regulations (43 CFR Part 10).

6. **Endangered Species.** Two Federally listed endangered or threatened species are known from the project area:

- **Indiana Bat (*Myotis sodalis*)** - Federally Endangered. The Indiana bat is listed to be present throughout the state of Illinois. Indiana bats are not believed to occur within the project site.
- **Bald Eagle (*Haliaeetus leucocephalus*)** - Federally Threatened. The bald eagle is listed as wintering and breeding in this section of the Illinois Waterway. During the winter, this species feeds on fish in the open water areas created by dam tailwaters, the warm water effluents of power plants and municipal and industrial discharges, or in power plant cooling ponds. They roost at night in groups in large trees adjacent to the river in areas that are protected from the harsh winter elements. They perch in large shoreline trees to rest or feed on fish. This project does not involve significant clearing of mature trees and would not affect this species.

7. **Dredge/Fill Material Guidelines.** The evaluation of the impact of the proposed activity on the public interest will also include application of the guidelines promulgated by the Administrator of the United States Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

8. **Environmental Documentation.** The District staff has prepared a document entitled "*Environmental Assessment, Sangamon Experimental Sediment Trap, LaGrange Pool, Illinois Waterway River mile 88.9L, January 2004, U.S. Army Corps of Engineers, Rock Island District*" for the project. This documentation is available for review at the Clock Tower Building (see address in paragraph 1.) during working hours (7:30 am to 4:00 pm).

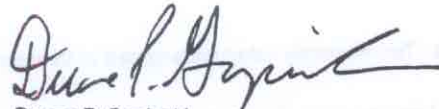
9. **Public Interest Review.** The decision whether to proceed with the project will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

10. **Who Should Reply.** The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. These statements should be submitted on or before the expiration date specified at the top of page 1. These statements should bear upon the adequacy of plans and suitability of locations and should, if appropriate, suggest any changes considered desirable.

11. **Public Hearing Requests.** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided.

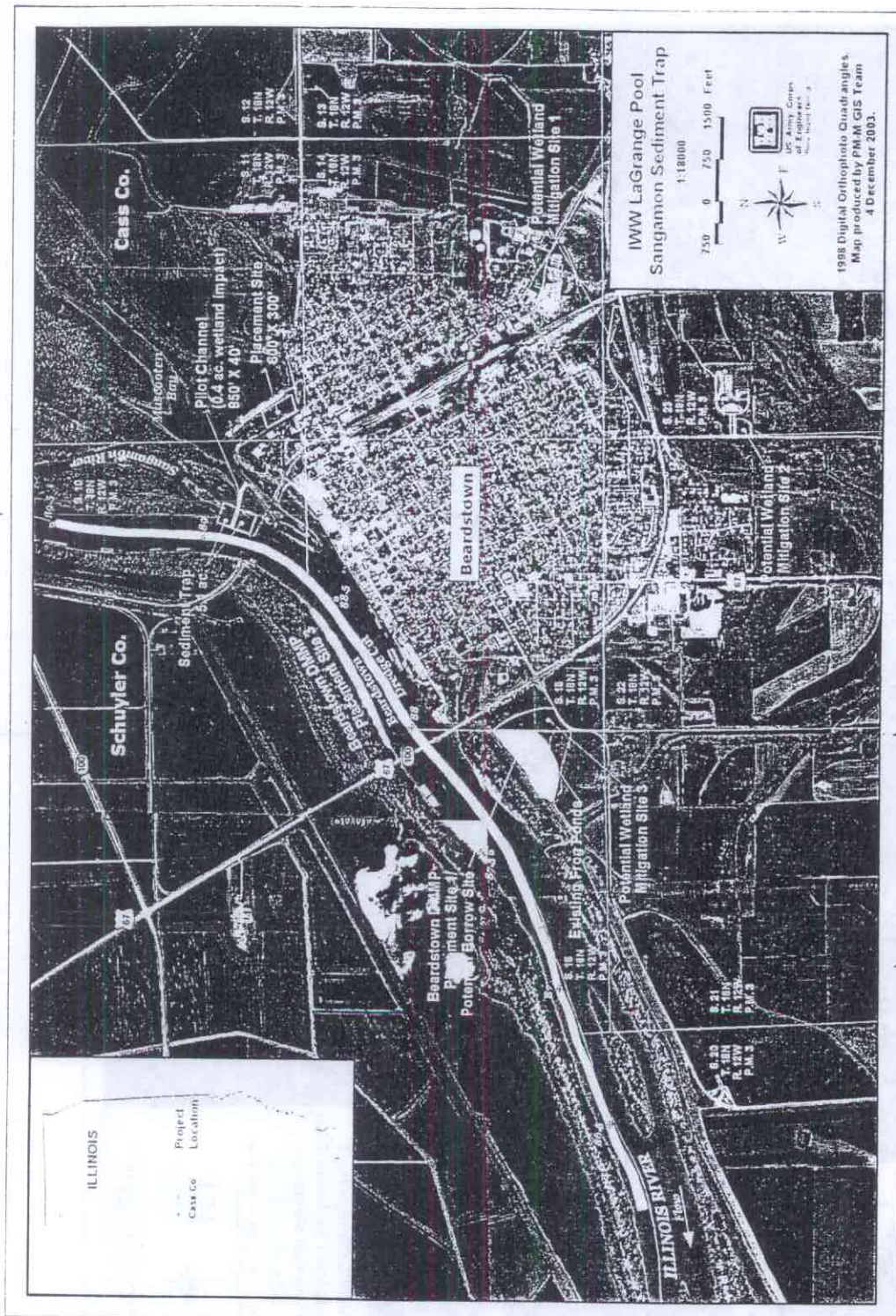
12. **Reply to the Corps of Engineers.** Comments concerning the project should be addressed to the District Engineer, U. S. Army Corps of Engineers, Rock Island District, ATTN: OD-P (Wayne Hannel), Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. Mr. Wayne Hannel (309/794-5378) may be contacted for additional information concerning regulatory issues. Ms. Gail Clingerman (309/794-5791) may be contacted for additional information concerning environmental issues.

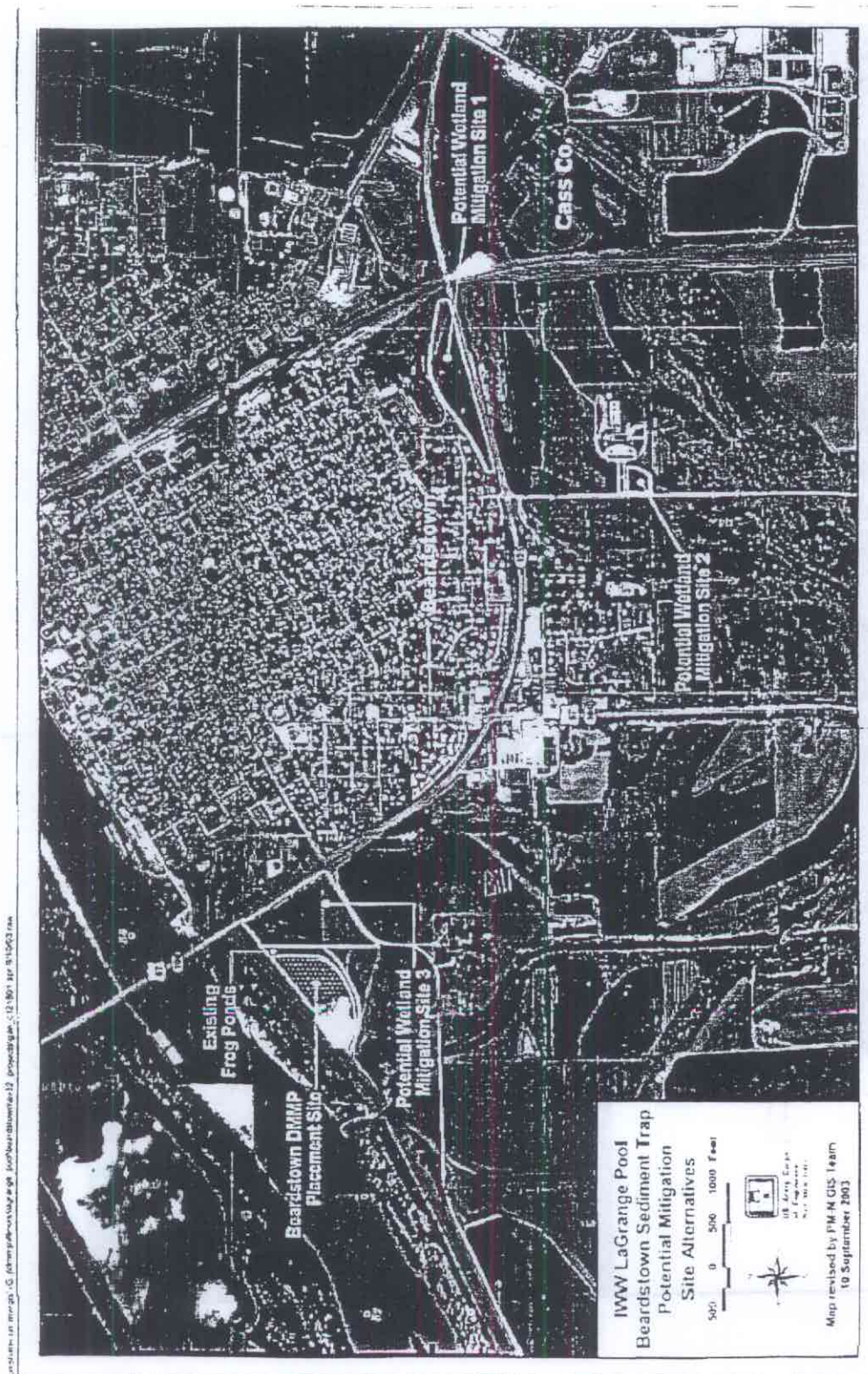
Attach
Plan


Duane P. Gapinski
Colonel, U.S. Army
District Engineer

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Illinois Department of Natural Resources

One Natural Resources Way • Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Rod R. Blagojevich, Governor

Joel Brunsvold, Director

March 24, 2004

SUBJECT: Permit No.DS2004027
Sangamon Experimental Sediment Trap
Illinois River (Mile 88.9), Cass County

U.S. Army Corps of Engineers
Rock Island District
Clock Tower Building
Rock Island, Illinois 61204-2004

ATTN: Mr. Michael D. Cox, Channel Maintenance Coordinator

Dear Mr. Cox:

Enclosed is Illinois Department of Natural Resources, Office of Water Resources Permit No. DS2004027 authorizing the dredging of the sediment trap and pilot channel. The proposed placement of material at Beardstown Marina has been authorized by Permit No. DS2003015 which was issued to the City of Beardstown in February 2003. This authorization does not supersede any other federal, state or local authorizations that may be required for the project.

As you are aware, the Illinois Department of Natural Resources, Office of Realty and Environmental Planning (OREP) participates in the regulatory programs of the U.S. Army, Corps of Engineers (USCOE) and may review this project if a USCOE Section 10 or 404 permit is required. Issuance of a permit by the Office of Water Resources does not preclude OREP's provision of comments and/or recommendations, primarily related to biological effects of the proposed action, to the USCOE and other federal agencies concerning your project.

Upon receipt and review of this permit and all of its general and special conditions, please properly execute and return the attached acceptance blank within sixty (60) days from the date of the permit. If any changes in the plans or location of the work are found necessary, revised plans should be submitted promptly to this office so that they may receive approval before work thereon is begun. When the work is done, please provide written notification that the project has been completed in accordance with the approved plans and conditions of the permit.

U.S. Army Corps of Engineers
Page 2
March 24, 2004

Please feel free to contact Mike Diedrichsen of my staff at 217/782-3863 if you have any questions concerning this authorization.

Sincerely,



Martin J. Stralow, P.E.
Manager, Division of Resource Management

MJS:MLD:emm

Enclosure

cc: U.S. Army Corps of Engineers, Rock Island District (OD-P-Wayne Hannel)
U.S. Army Corps of Engineers, Rock Island District (PM-Gail Clingerman) ✓
IDNR, Office of Realty & Environmental Planning (Robert Schanzle)
City of Beardstown (Rick Schroll)
Hutchison Engineering, Inc.



PERMIT NO. DS2004027

DATE: March 24, 2004

State of Illinois

Department of Natural Resources, Office of Water Resources

Permission is hereby granted to:

U.S. ARMY CORPS OF ENGINEERS
ROCK ISLAND DISTRICT
CLOCK TOWER BUILDING
ROCK ISLAND, ILLINOIS 61204-2004

to dredge an experimental sediment trap and pilot channel at Illinois River Mile 88.9 at the mouth of the Sangamon River in the Southeast 1/4 of Section 10, Township 18 North, Range 12 West of the 3rd Principal Meridian in Cass County,

in accordance with an application dated October 23, 2002, and the plans and specifications entitled:

ENVIRONMENTAL ASSESSMENT
SANGAMON EXPERIMENTAL SEDIMENT TRAP
LA GRANGE POOL ILLINOIS WATERWAY RIVER MILE 88.9L
(Dated January 2004).

Examined and Recommended:

Approval Recommended:

Martin J. Stralow, Division Manager
Division of Resource Management

Gary R. Clark, Director
Office of Water Resources

Approved:

Joel Brunsvold, Director
Department of Natural Resources

CONVERSATION RECORD			TIME 1300	DATE 1/26/04	
TYPE <input type="checkbox"/> VISIT <input type="checkbox"/> CONFERENCE <input checked="" type="checkbox"/> TELEPHONE				ROUTINE	
				NAME/SVMRO	INI
				<input checked="" type="checkbox"/> INCOMING	
				<input type="checkbox"/> OUTGOING	
Location of Visit/Conference:					
NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU Bob Henry			ORGANIZATION (Office, dept., bureau, etc.) Private Citizen		TELEPHONE NO: (309) 836-7231
SUBJECT Sangamon Sediment Trap Environmental Assessment Comments					

SUMMARY

Bob Henry called to provide comments on the Sangamon Sediment Trap EA. He said that he supports the use of Site 2 as a compensatory mitigation site. He had the following reasons:

- It completes a wetland corridor for the area
- It provides additional habitat for frogs
- The potential for road kill losses to frogs could be partially mitigated through creation of a wildlife tunnel rather than a culvert underneath the adjacent road
- It is beneficial to preserve that site permanently under a conservation easement
- It would make a good experiment for Reed Canary Grass control, which is a continuing problem
- Site 3 could be impacted through the re-routing of Highway 67 in the future

He also asked why we were not proposing to monitor frog populations in Site 2 or Site 3, and instead were focusing on vegetation monitoring. I explained that frog monitoring is unnecessary since we are mitigating for the wetland loss, and not for the loss of frog habitat necessarily. Therefore, we want to make sure wetlands come back, and not just frog habitat, although it would be an added benefit to create frog habitat in that area.

He also suggested that we split the mitigation by doing something at each of the two potential mitigation sites if it appears that the resource agencies still want something done at Site 3.

He said that there was a statement in the EA (page EA-25) that states that no public opposition has been received on this project. He said he was at a public meeting in Mt. Sterling, IL on the Illinois Ecosystem project, where he believes that a woman did express opposition of the Sangamon Sediment Trap project to Brad Thompson.

ACTION REQUIRED

Ask Brad Thompson about any opposition heard at Illinois Ecosystem public meetings. Document Mr. Henry's remarks in Statement of Findings package.

NAME OF PERSON DOCUMENTING CONVERSATION Gail Clingerman	SIGNATURE <i>Gail A.P. Clingerman</i>	DATE 1/26/04
------------------------------------------------------------	------------------------------------------	-----------------

ACTION TAKEN

SIGNATURE	TITLE	DATE
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CONVERSATION RECORD

OPTIONAL FORM 271 (12-76)
DEPARTMENT OF DEFENSE



Illinois Department of Transportation

Division of Highways / District 6
126 East Ash Street / Springfield, Illinois 62704-4792

January 29, 2004

CERTIFIED - RETURN RECEIPT REQUESTED

Mrs. Gail Clingerman
U. S. Army Corps of Engineers
Economic and Environmental Analysis Branch
Rock Island District
P.O. Box 2004, Clocktower Building
Rock Island, IL 61204-2004
Attn: Planning, Programs, and Project Management

Dear Mrs. Clingerman:

The Illinois Department of Transportation (IDOT) would like to comment on the Environmental Assessment (EA) and draft Finding of No Significant Impact (FOSNI) addressing a new experimental sediment trap proposed for the mouth of the Sangamon River, at Illinois Waterway River Mile 88.9. In particular, the location of the Potential Wetland Mitigation Site 3 would be a direct conflict for the approved US 67 transportation project from Jacksonville to Macomb. A FONSI was signed for the US 67 Environmental Impact Statement on March 6, 2003 by the Federal Highway Authority (FHWA) approving the project. The US 67 Expressway would directly impact the parcel proposed for Wetland Mitigation Site 3 and, in fact, the future impact to the existing wetland in this area has already been accounted for. Wetland mitigation anywhere near the vicinity of the future US 67 Expressway should be analyzed to the fullest extent to avoid conflicts. We urge the ACOE to dismiss the proposal of using Wetland Mitigation Site 3 for this dredge project.

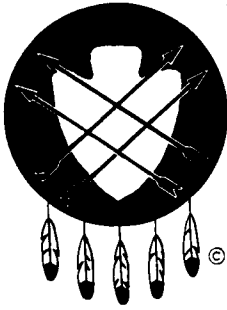
Enclosed are the design plan sheets for US 67 in the Beardstown Area to assist the ACOE in avoiding areas where the route will be located. Land Acquisition for the project will begin when funds are programmed. At this time, the route coming through the Beardstown area is currently not in the next 5 year program.

Please note that IDOT recently purchased a 1600 acre site just south of Beardstown to be used as a wetland mitigation bank. We are open to discussions with the ACOE to possibly utilize the site for mitigation as a result of impacts to wetland areas. Using the wetland mitigation bank may help to avoid conflicts with future projects by the IDOT and ACOE. If you have any questions or need further information regarding the design of US 67, please contact John Negangard at 217-782-6990. If you have any questions or need further information regarding the wetland mitigation bank, please contact Bill Martens at 217-782-7331 or Dennis O'Connell at 217-785-9727.

Sincerely,

Christine M. Reed, P.E.
District Engineer

By: William E. Martens
William E. Martens, P.E.
Program Development Engineer
FWH:DOC:mab
Enclosure



PEORIA TRIBE OF INDIANS OF OKLAHOMA

118 S. Eight Tribes Trail (918) 540-2535 FAX (918) 540-2538

P.O. Box 1527

MIAMI, OKLAHOMA 74355

CHIEF
John P. Froman

SECOND CHIEF
Joe Goforth


February 18, 2004

District Engineer
U.S. Army Corps of Engineers
Rock Island District
ATTN: OD-P (Wayne Hannel)
Clock Tower Building—P.O. Box 2004
Rock Island, Illinois 61204-2004

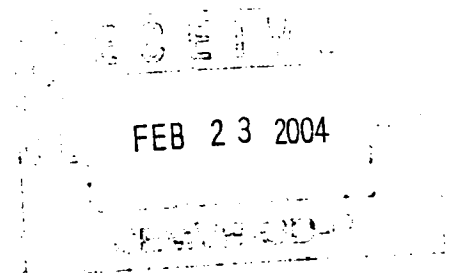
RE: CEMVR-OD-P-436230

Thank you for notice of the referenced project. The Peoria Tribe of Indians of Oklahoma is currently unaware of any documentation directly linking Indian Religious Sites to the proposed construction. In the event any items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) are discovered during construction, the Peoria Tribe request notification and further consultation.

The Peoria Tribe has no objection to the proposed construction. However, if human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction should stop immediately, and the appropriate persons, including state and tribal NAGPRA representatives contacted.


John P. Froman
Chief

xc: Bud Ellis, Repatriation/NAGPRA Committee Chairman



TREASURER
LeAnne Reeves

SECRETARY
Hank Downum

FIRST COUNCILMAN
Claude Landers

SECOND COUNCILMAN
Jenny Rampey

THIRD COUNCILMAN
Jason Dollarhide

3



Prairie Band Potawatomi Nation
Government Center

February 18, 2004

**District Engineer
US Army Corps of Engineers, Rock Island District
Clock Tower Building, P.O. Box 2004
Rock Island, Illinois 61204-2004**

Dear Sir or Madam:

I am writing to inform you that I am in receipt of your recent National Historic Preservation Act (NHPA), Section 106 and Section 110 correspondence.

After reviewing the contents of your recent mailing we would like to inform that we have no objections to the following project(s):

Project(s): CEMVR-OD-P-436230

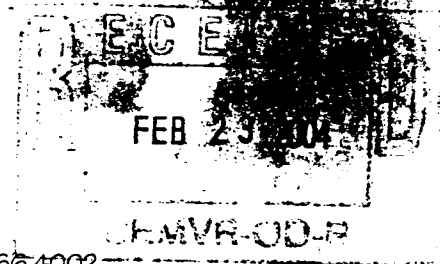
At this time we are unaware of any historical cultural resources in the proposed development area. However, we do request to be immediately contacted if any inadvertent discoveries are uncovered at anytime throughout the various phases of the project.

Please feel free to call me at (785) 966-4007 or additional information can be faxed to (785) 966-4009. We look forward to working with you.

Respectfully,

Zach Pahmahmie
Tribal Chairman
NAGPRA Representative
Prairie Band Potawatomi Nation

ZP/vrs





Illinois Department of Natural Resources

One Natural Resources Way • Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Rod R. Blagojevich, Governor

Joel Brunsvold, Director

February 19, 2004

Mr. Kenneth A. Barr
Chief, Economic and Environmental Analysis Branch
Department of the Army
Rock Island District, Corps of Engineers
Clock Tower Building, P.O. Box 2004
Rock Island, Illinois 61204-2004

Dear Mr. Barr:

Reference is made to your letter of January 22, 2004 and the accompanying Environmental Assessment (EA) and draft Finding of No Significant Impact (FONSI) addressing an experimental sediment trap at the mouth of the Sangamon River in Beardstown, Cass County, Illinois.

The Department of Natural Resources has submitted three previous letters addressing the project, and these are reproduced on pages EA-A-6, EA-A-25, and EA-A-41 of the Environmental Assessment. As was stated in our most recent letter, dated October 1, 2003 (EA-A-41), we recommend that mitigation for project impacts be performed by creating additional ephemeral breeding habitat at Site 3. However, it has recently come to our attention that the Illinois Department of Transportation is planning the reconstruction and relocation of Illinois Route 125 along the south edge of Beardstown, and the proposed ephemeral breeding habitat may lie immediately adjacent to, or within, the planned highway right-of-way. We ask that your agency coordinate closely with IDOT to ensure the breeding ponds are constructed in a manner and location that will not create a conflict with the future highway construction. Our staff is available to assist as may be necessary.

Subject to successful resolution of project mitigation, the Department supports the Finding of No Significant Impact. Please contact me at 217-785-4863 if we can be of further assistance.

Sincerely,

Robert W. Schanzle
Permit Program Manager
Office of Realty and Environmental Planning

RWS:rs

cc: IDNR/ORC (Carney, Kelley), IDNR/OWR (Kennedy), IDOT/DOH (O'Connell), IEPA (Yurdin),
USFWS (McPeck), USEPA (Pierard)



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Rock Island Field Office
4469 48th Avenue Court
Rock Island, Illinois 61201
Phone: (309) 793-5800 Fax: (309) 793-5804



IN REPLY REFER
TO:

FWS/RIFO

February 23, 2004

U.S. Army Corps of Engineers
Rock Island District
ATTN: PM-A (Gail Clingerman)
OD-P (Hannel)
Clock Tower Building, P.O. Box 2004
Rock Island, Illinois 61204-2004

Dear Ms. Clingerman and Mr. Hannel:

This letter provides U.S. Fish and Wildlife Service (Service) comments on the Environmental Assessment (EA) and the associated Section 404 Public Notice for the Sangamon Experimental Sediment Trap, La Grange Pool, Illinois River mile 88.9L. The EA outlines alternatives to dredge an experimental sediment trap and associated pilot channel out of an approximate 7.2 acre area of the Illinois River near Beardstown, Cass County, Illinois. The EA was received in our office on January 23, 2004 and the Public Notice was received on February 18, 2004.

Endangered Species

We concur with your findings that the proposed project is not likely to affect any federally listed endangered species. This precludes the need for further action on this project as required under Section 7 of the Endangered Species Act of 1973, as amended. Should the project be modified or new information indicate endangered species may be affected, consultation should be initiated.

Project Comments

Appendix EA-A of the EA document the natural resource agencies' concerns. As stated in our October 2003 letter, it is our interpretation that mitigation Site #2 was judged to be unacceptable by resource agencies after participating in a site visit on September 29, 2003. Each of the agencies present relayed similar concerns that Site #2 would be unable to achieve adequate mitigation for the impacts proposed by the project.

It is the Service's opinion that Site #2 offers very little opportunity for wetland mitigation, with respect to both function and quality. This site is hydraulically isolated from all surrounding wetland complexes and appears to provide very little diverse wetland habitat

(dominated by reed canary grass). The site is also surrounded on three sides by well-traveled roadways and on the fourth side is a parking lot. These surfaces make this site unattractive in that reptiles and amphibians attempting to use this site have increased likelihood of being killed while traveling into and out of the site. Not only does this site lack the necessary characteristics to achieve adequate mitigation, the Service views Site #2 as a potentially attractive nuisance and may result in the loss of the state threatened Illinois chorus frog.

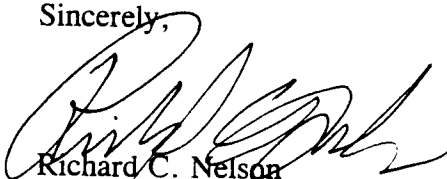
Site #3 appears to be an adequate alternative. Its use for mitigation is supported by the IL DNR (pers. comm. Schanzle), US EPA (pers. comm. Kathy Kowal) and by the Service. Site #3 offers a unique proximity to existing Illinois chorus frog mitigation ponds and could increase the habitat potential of these ponds for the state threatened amphibian. In addition, this locality is much closer to the Illinois River and may provide beneficial habitat to a greater array of wildlife without the proximity to automobile traffic. Site #3 contains those characteristics which are essential for mitigating the functions and quality of the impacted wetlands.

Recommendations

The Service objects to the signing of the FONSI and the issuance of a Section 404 permit before our agencies' comments have been addressed and before a specific and adequate mitigation plan has been identified. The functions of the impacted wetlands can not be adequately mitigated at Site #2. We recommend that mitigation Site #3 be identified as mitigation for impacts proposed by the project.

This letter provides comment under the authority of and in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended: 16 U.S.C. 661 et seq.) and the Endangered Species Act of 1973, as amended. Questions regarding this letter or our availability for review of the mitigation plan and/or the environmental assessment may be directed to Mr. Kraig McPeck at (309) 793-5800, ext. 210.

Sincerely,



Richard C. Nelson
Supervisor

cc: IL DNR (Schanzle)
US EPA (Kowal)



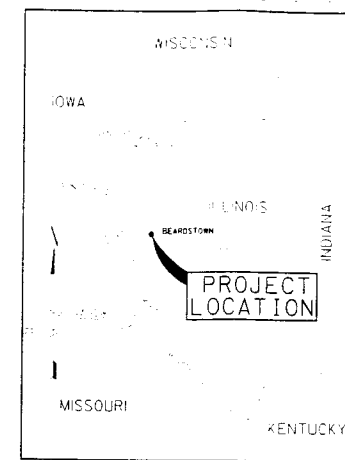
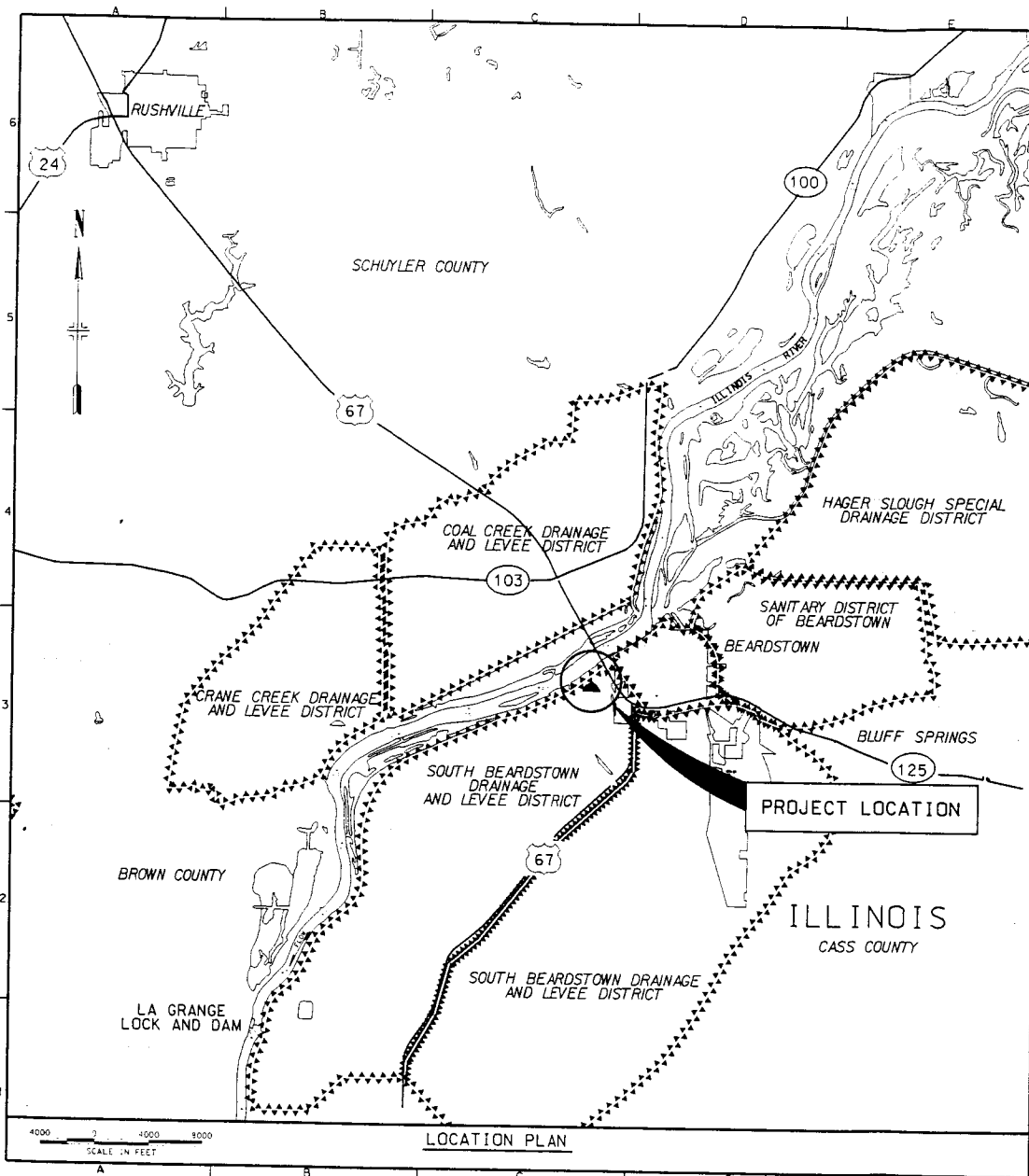
US Army Corps
of Engineers
Rock Island
District

[illegible]

U.S. ARMY ENGINEER DISTRICT #BX 15440, Ft. Belvoir	Drawn By: _____ Checked By: _____ Reviewed By: _____	Date: _____ Section: AS SHELTER Project Code: LWCO Solicitation Number: _____
-------------------------------------------------------	------------------------------------------------------------	----------------------------------------------------------------------------------------

ILLINOIS WATERWAY
FROG BREEDING PONDS
CASS COUNTY, BIAPOSTOWN, IL.
HIVIN MIT 87.6 - 87.7

Sheet
Reference
Number:
X1
Sheet 1 of 3



VICINITY MAP

INDEX

SHEET REF. NO.	SHEET NO.	TITLE OF DRAWING
1	X1	COVER SHEET
2	X2	INDEX, LOCATION PLAN, GENERAL NOTES AND VICINITY MAP
3	C1	SITE PLAN AND TYPICAL SECTIONS



DATE	DESIGNED BY	DRAWN BY	CHECKED BY	APPROVED BY

U.S. ARMY ENGINEER DISTRICT CASS COUNTY, ILLINOIS	PROJECT NO.	DATE

ILLINOIS WATERWAY
FEDERAL BREEDING POND
CASS COUNTY, ILLINOIS
INDEX, LOCATION
PLAN, GENERAL
NOTES AND
VICINITY MAP

Sheet
Reference
Number
X2
Sheet 2 of 3

SURVEY CONTROL DATA:
 US FT. LL W/NAD 83, NGVD1929
 N 1218610.15 E 2218511.77
 0.5' below grd. 2.0' from R/S edge crown
 123' below Highway Rt. 67 Bridge on
 curve of levee. Elev. 454.65
 N 1216950.54 E 2216405.48
 170' from west corner of Boulevard
 Pump Station. Elev. 455.53

LEGEND

PROPOSED POND

EXISTING PONDS

WETLAND AREAS

RIGHT OF WAY

ILLINOIS WATERWAY

RM 87.6

RM 87.7

REAL ESTATE BOUNDARY

WETLAND APPROXIMATE BOUNDARY (IL DOT)

U.S. HIGHWAY 67

EXISTING SUMP POND

APPROXIMATE LOCATION OF EXCAVATED MATERIAL FROM CONSTRUCTED POND

EXISTING FROG PONDS

SITE #1 DREDGED MATERIAL PLACEMENT SITE

CONSTRUCT POND
 AREA : 56,500 SQ. FT.
 PERIMETER : 979 FT.

APPROXIMATE IL DOT ROW

6TH STREET

SOUTH BEARSTOWN DRAINAGE ROAD

CLAY BERM
 SAND BERM
 TRANSITION FROM CLAY BERM TO SAND BERM

REAL ESTATE BOUNDARY

ACCESS ROAD

SITE ACCESS

SCOPE OF WORK:

THE SCOPE OF WORK FOR THIS PROJECT GENERALLY CONSISTS OF THE FOLLOWING:

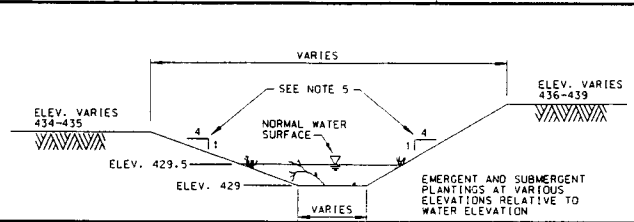
1. CLEARING AND GRUBBING
2. GRADING AND SHAPING OF FROG BREEDING PONDS
3. PLANTING OF AQUATIC VEGETATION

NOTES:


1. SIZE AND LOCATION OF POND SHOWN IS APPROXIMATE AND CONCEPTUAL. ACTUAL POND SIZE MAY VARY SLIGHTLY TO ACCOUNT FOR SITE CONDITIONS.
2. PONDS SHALL BE PLACED AT LEAST 50 FEET FROM ALL ROADS AND PLACES WHERE TRUCKS AND EQUIPMENT ARE ALLOWED TO OPERATE.
3. EXCAVATED MATERIAL SHALL BE PLACED UPON CONTAINMENT BERM AND WITHIN SITE #1 DREDGED MATERIAL PLACEMENT SITE AS DIRECTED BY THE CORP OF ENGINEERS. DO NOT IMPAIR ACCESS OR DRAINAGE ROUTES.
4. SLOPE SHALL NOT BE STEEPER THAN 4 HORIZONTAL ON 1 VERTICAL.
5. LOCATION OF EXISTING FROG PONDS ARE APPROXIMATE. PONDS SHALL BE FIELD LOCATED PRIOR TO CONSTRUCTION.
6. DO NOT TRAVERSE FILL, OR OTHERWISE NEGATIVELY IMPACT EXISTING FROG PONDS, EXISTING SUMP POND, OR EXISTING WETLANDS.
7. ALL WORK SHALL BE COORDINATED THROUGH THE ROCK ISLAND DISTRICT.

100 0 100 200
 SCALE: 1"=100'

SITE PLAN



TYPICAL POND CROSS-SECTION



US Army Corps of Engineers
Rock Island District

Designated By:	Drawn By:	Checked By:	Reviewed By:
U.S. ARMY CORPS OF ENGINEERS ROCK ISLAND DISTRICT	AS SHOWN	PROJECT TEAM	PROJECT TEAM

ILLINOIS WATERWAY
FROG BREEDING PONDS
CASTLE RIVER MILE 87.6 - 87.7

SITE PLAN AND TYPICAL SECTION

Sheet Reference Number: **C1**

Sheet 3 of 3



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

FEB 23 2004

REPLY TO THE ATTENTION OF

B-19J

Ms. Gail Clingerman
Economic and Environmental Analysis Branch
Department of the Army
Rock Island District Corps of Engineers
Clock Tower Building - P.O. Box 2004
Rock Island, Illinois 61204-2004

Re: Comments on the Environmental Assessment for the Sangamon Experimental
Sediment Trap, Beardstown, Illinois

Dear Ms. Clingerman:

The U.S. Environmental Protection Agency (U.S. EPA) has reviewed an Environmental Assessment (EA) dated January 2004 regarding a proposed experimental sediment trap at the mouth of the Sangamon River in Beardstown, Illinois. Our comments in this letter are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

The Army Corps of Engineers (Army Corps) proposes to excavate an experimental sediment trap (EST) at the mouth of the Sangamon River as it flows into the Illinois River. The purpose of the EST is to determine sediment grain size and flow rate. The project is expected to yield information regarding the potential for placement of sediment traps at defined locations along the Illinois River. Sediment traps would be expected to capture sediment and allow the Army Corps to schedule maintenance dredge activities while decreasing the number of potential or imminent closures in this section of the Illinois River.

Approximately 24,000 cubic yards of sediment will be hydraulically dredged from the EST. A pilot channel will be constructed from the EST at the mouth of the Sangamon River and through an existing island to allow workboat and hydraulic pipeline access to the placement site. Sediment is proposed to be placed in an open water area within a permanent containment berm in the Beardstown harbor. This placement site may be utilized by the City of Beardstown if it continues with plans to dredge the Beardstown harbor to enable boat usage of a new marina in the area. Once the placement site is filled to capacity, Beardstown plans to create a parking lot at the placement site. Beardstown also plans to utilize the pilot channel originally excavated for the EST to allow boat access to the Illinois River from the harbor. Long-term maintenance dredging by the City of Beardstown will be necessary to keep the pilot channel open.

Based on our review of the information contained in the EA, we have concerns with the mitigation of wetland impacts and adequacy of the cumulative impacts analysis. In the absence of more detailed assessments, we do not believe we have sufficient information to analyze these issues. To that end, we have supplied the following comments to aid the Army Corps in its analysis.

Cumulative Impacts

We believe the EA is deficient in that it does not fully evaluate the reasonable and foreseeable impacts associated with the action regardless of who initiates an action. According to 40 CFR 1503.7, "Cumulative impact" is the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions."

The Army Corps' proposed project includes the dredging of a pilot channel from the EST to the placement site to facilitate laying pipeline to move the dredge material and workboat access to the pipeline. One anticipated impact associated with the proposed project includes capping of the placement site by the City of Beardstown once dredge material from the EST and the creation of additional boat access at the harbor as well as natural sedimentation fills in the available space. The capped area will serve as a parking lot for the future marina. Because the pilot channel will likely fill with sediment once the pipeline is removed, a reasonably foreseeable impact is the need for long-term maintenance dredging of the pilot channel by the Army Corps or the City of Beardstown. Maintenance dredging will be required to allow passage from the Beardstown marina to the Illinois River. A result of maintenance dredging will be the need to find alternate placement sites for the dredge material.

We believe the impacts of maintenance dredging and placement of dredge sediment should be evaluated as part of this project due to the fact that these activities will be undertaken as a result of the excavation of the EST and the pilot channel. For example, if maintenance dredge sediment is likely to be placed in adjacent wetlands, the EA should address cumulative impacts to wetlands. We recommend finding alternatives that do not impact wetlands, but if that is not possible, we believe mitigation for impacted wetlands should become part of the mitigatory effort for this project. The following items should be included in a complete evaluation of cumulative impacts.

- ▶ Categories and number of acres of wetlands that could be impacted by placement of dredge from the pilot channel and/or creation of additional marina facilities.
- ▶ Impacts to the area due to loss of function and value of impacted wetlands (e.g., flood control, water purification, etc.).
- ▶ Impacts to Muscooten Bay, where the harbor is located. Those impacts may include, but not be limited to, water quality, loss of open water habitat, loss of mudflats, wetland islands, etc. used by migratory waterfowl and other wetland-dependent species, and associated noise.
- ▶ Water quality issues associated with open water dumping and eventual capping of the sediments.
- ▶ Impacts to the area due to Beardstown's proposed redevelopment plan for the riverfront area in this location. Redevelopment is contingent upon open access to the Illinois River.

Compensatory Wetland Mitigation

Two mitigation sites were identified to compensate for 0.4 acres of riverine wetlands impacted through construction of the pilot channel for workboat and hydraulic pipeline access to the placement site; however, a preferred mitigatory site was not chosen by the Army Corps. As stated in our letter of October 3, 2003, we believe the issues of wetland mitigation and State-threatened Illinois Chorus Frogs (ICF) are intertwined in this instance. We feel the selection of Mitigation Site 3 as the wetland mitigation site provides the following advantages over Mitigation Site 2.

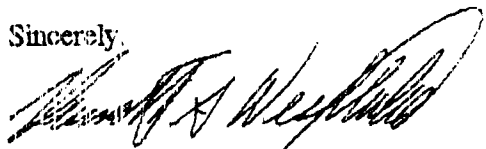
- ▶ Mitigation Site 2 is surrounded by development on three sides including actively-traveled roads that would likely present high mortality rates among animals using the area. It is a poor quality wetland inundated with the exotic reed canary grass, offering little chance of providing true wetland structure and function. Hydrologic connectivity to a larger wetland complex would be accomplished via a below-roadway culvert. In addition, Mitigation Site 2 is not located near existing frog ponds, and the Army Corps has no intention of relocating ICFs to this site in an attempt to increase their habitat. For these reasons, Mitigation Site 2 is unacceptable as a wetland mitigation site.
- ▶ ICFs are currently established at existing ephemeral breeding ponds adjacent to Mitigation Site 3.
- ▶ Wetland mitigation at a 2:1 ratio would create 0.8 acres of ICF breeding habitat by enhancing one large site at Mitigation Site 3. This site would be further enhanced by the planting of a 20 foot wetland plant buffer around the perimeter of the 0.8 acre site.
- ▶ Mitigation Site 3 is currently in the Conservation Reserve Program and devoid of roads.

For the above reasons, the U.S. EPA believes the selection of Mitigation Site 3 would serve as an appropriate mitigation site for riverine wetland loss, increase ICF habitat by expanding an existing habitat complex, and create a buffer from surface runoff for the ICFs and other wetland-dependent species. Furthermore, as mentioned in the EA, Mitigation Site 3 would be placed in a conservation easement in perpetuity and serve as a crucial buffer between the ICFs and future development anticipated as a result of the Illinois Department of Transportation's (IDOT) plans to re-route Highway 67 around Beardstown. We suggest the Army Corps initiate discussions with IDOT regarding its plans for this area. Follow-up discussions with the Fish and Wildlife Service and/or the Illinois Department of Natural Resources would help to ensure optimal selection for the 0.8 acres mitigation site within Site 3.

Without a more complete assessment of the environmental impacts associated with the proposed EST, we are unable to fully analyze the proposed action. Therefore, we recommend the Army Corps address the issues of cumulative impacts and wetland mitigation in a revised EA. We feel it is premature to sign a Finding of No Significant Impacts before these issues are addressed.

Should you have any questions, please do not hesitate to contact me or Kathleen Kowal of my staff at (312) 353-5206 or via e-mail at kowal.kathleen@epa.gov.

Sincerely,



Kenneth A. Westlake, Chief
Environmental Planning and Evaluation Branch

cc: Kraig McPeck, U.S. Fish and Wildlife Service
Bob Schanzle, Department of Natural Resources



Illinois Department of Natural Resources

One Natural Resources Way • Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Rod R. Blagojevich, Governor

Joel Brunsvold, Director

February 26, 2004

Mr. Wayne Hannel
Regulatory Branch
Rock Island District, Corps of Engineers
Clock Tower Building, P.O. Box 2004
Rock Island, Illinois 61204-2004

Dear Mr. Hannel:

The Illinois Department of Natural Resources, Office of Realty and Environmental Planning, has reviewed the project(s) listed below and has no objections to permit issuance:

Permit No.

Applicant

436230

U.S. Army Corps of Engineers

Please contact me at 217-785-4863 if I can be of further assistance.

Sincerely,

Robert W. Schanzle
Permit Program Manager

RWS:rs 2-11(04)

cc: IDNR/OWR (Kennedy)

This recommendation regarding the issuance/denial of the U.S. Army Corps of Engineers permit by the IDNR, Office of Realty and Environmental Planning does not supersede permit decisions made by the IDNR, Office of Water Resources under the Illinois Rivers, Lakes and Streams Act.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

27 FEB 2004

REPLY TO THE ATTENTION OF:
WW-16J

Mr. Gene Walsh
Regulatory Branch
U.S. Army Corps of Engineers, Rock Island District
Clock Tower Building
Rock Island, IL 61201-2004

Re: Public Notice CEMVR-OD-P-436230

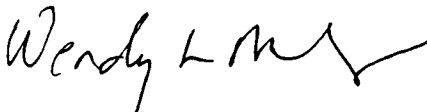
Dear Mr. Walsh:

The U. S. Environmental Protection Agency has reviewed the public notice referenced above. The applicant, U.S. Army Corps of Engineers, proposes to maintain appropriate project width and depth of the nine-foot commercial navigation channel on the Illinois Waterway to allow for the transport of commodities. The project is located in Cass County, Illinois; approximate Illinois River mile 147.1.

The Illinois River is listed on the 2002 Clean Water Act Section 303(d) list by the State of Illinois as an impaired waterbody. The causes of impairment on this segment of the Illinois River are nutrients and sediment. We feel that it is important for you to consider the impaired status of this waterbody before you issue this permit. The project should not be authorized if it will result in further impairment of the listed waterbody.

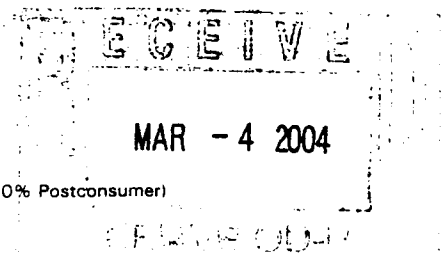
Thank you for the opportunity to provide comments on this project. If you have any questions, or if we can be of further assistance, please contact Christine Anderson at 312-886-9749.

Sincerely,



for Kevin M. Pierard, Chief
Watersheds and Wetlands Branch

cc: Bruce Yurdin, IEPA



JIM GRAY

Principal Chief

KENNETH H. BIGHORSE

Assistant Principal Chief



MEMBERS OF COUNCIL

MARK FREEMAN, Jr.
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JODIE SATEPAUHOODLE
JERRY SHAW
PAUL R. STABLER
DUDLEY WHITEHORN
JOHN W. WILLIAMS

OSAGE TRIBAL COUNCIL

February 27, 2004

District Engineer, US Army Corps of Engineers, Rock Island District
Attn.: OD-P, Clock Tower Building
P.O. Box 2004
Rock Island, IL 61204-2004

RE: CEMVR-OD-P-395460-1; CEMVR-OD-P-456030; CEMVR-OD-P-382080-1;
CEMVR-OD-P-432910-1; CEMVR-OD-P-456520; CEMVR-OD-P-455470; CEMVR-
OD-P-436230

To Whom It May Concern:

The Osage Tribe of Oklahoma has evaluated the above reference sites, and we have determined that the site could have religious or cultural significance to the Osage Tribe being our former reservation & homeland. However, if construction activities should expose Osage archeological materials, such as bone, pottery, chipped stone, etc., we ask that construction activities cease, and this office be contacted so that an evaluation can be made

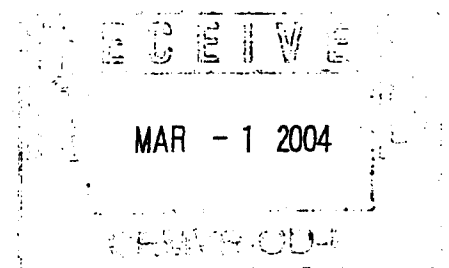
Should you have any questions, you can reach me at (918) 287-5446.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony P. Whitehorn".

Anthony P. Whitehorn
Tribal Enterprise Manager





Illinois Historic Preservation Agency

1 Old State Capitol Plaza • Springfield, Illinois 62701-1507 • Teletypewriter Only (217) 524-7128

Voice (217) 782-4836

Cass County
Beardstown

PLEASE REFER TO: IHPA LOG #004021804

IL River Mile 88.9, Section:10-Township:18N-Range:12W, Section:11-Township:18N-Range:12W,

COE-RI-CEMVR-OD-P-436230,
Channel Maintenance

March 3, 2004

Duane Gapinski
U.S. Army Core of Engineers
Rock Island District
Clock Tower Building
Rock Island, IL 61204-2004

Dear Colonel Gapinski:

Thank you for requesting comments from our office concerning the possible effects of the project referenced above on cultural resources. Our comments are required by Section 106 of the National Historic Preservation Act of 1966 (16 USC 470), as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties".

The project area has not been surveyed and may contain prehistoric/historic archaeological resources. Accordingly, a Phase I archaeological reconnaissance survey to locate, identify, and record all archaeological resources within the project area will be required. This decision is based upon our understanding that there has not been any large scale disturbance of the ground surface (excluding agricultural activities) such as major construction activity within the project area which would have destroyed existing cultural resources prior to your project. If the area has been heavily disturbed prior to your project, please contact our office with the appropriate written and/or photographic evidence.

The areas that need to be surveyed include all areas that will be developed as a result of the issuance of the federal agency permit(s) or the granting of the federal grants, funds, or loan guarantees that have prompted this review.

Enclosed you will find an attachment briefly describing Phase I surveys and a list of archaeological contracting services. THE IHPA LOG NUMBER OR A COPY OF THIS LETTER SHOULD BE PROVIDED TO THE SELECTED PROFESSIONAL ARCHAEOLOGICAL CONTRACTOR TO ENSURE THAT THE SURVEY RESULTS ARE CONNECTED TO YOUR PROJECT PAPERWORK.

If you have any questions please contact David J. Halpin, Staff Archaeologist, at 217-785-4998.

Sincerely,

Anne E. Haaker

Anne E. Haaker
Deputy State Historic
Preservation Officer
AEH

Enclosure

MAR 15 2004

CONVERSATION RECORD		TIME 0830	DATE 1/28/04	
TYPE <input checked="" type="checkbox"/> VISIT <input type="checkbox"/> CONFERENCE <input type="checkbox"/> TELEPHONE			ROUTINE NAME/SYMBO INI	
Location of Visit/Conference:			<input type="checkbox"/> INCOMING <input checked="" type="checkbox"/> OUTGOING	
NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU Brad Thompson		ORGANIZATION (Office, dept., bureau, etc.) PM	TELEPHONE NO: X5256	
SUBJECT Sangamon Sediment Trap Environmental Assessment Comments				

SUMMARY

I asked Brad about the Illinois Ecosystem Restoration project public meeting in Mt. Sterling, IL, and if he remembered a woman expressing opposition of the Sangamon Sediment Trap project at that meeting. He said that he did remember the woman and her comments. According to notes taken at the meeting, she had three main concerns with the Sangamon Sediment Trap project:

- Why do we need to mitigate since we're creating deep water habitat through dredging the sediment trap and access channel. The marina also would be dredged to create additional deep water habitat.
- We shouldn't fill in part of the marina for this temporary sediment trap project. Sediment is going to continue coming down the Sangamon River, and where is that sediment going to go?
- We should find a way to keep the sediment in place in the watershed to prevent it from coming down the Sangamon River.

Brad looked up the sign-in sheet from the public meeting and remembered that the woman's name is Christy Bly. We discussed the potential need to include her comments in the EA Statement of Findings package since she did comment to the Corps about this project, even though it wasn't in response to the EA public notice period, when we usually receive project comments.

ACTION REQUIRED

Address comments in Statement of Findings package.

NAME OF PERSON DOCUMENTING CONVERSATION Gail Clingerman	SIGNATURE <i>Gail A. P. Clingerman</i>	DATE 1/28/04
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ACTION TAKEN

SIGNATURE	TITLE	DATE
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CONVERSATION RECORD

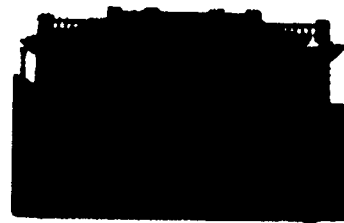
OPTIONAL FORM 271 (12-76)
DEPARTMENT OF DEFENSE

BOB WALTERS
Mayor

Phone (217) 323-3261
Home (217) 323-3573
Fax (217) 323-4029

CITY of BEARDSTOWN
Member of the Illinois Municipal League

CITY HALL
105 West 3rd Street
Beardstown, Illinois 62618



January 13, 2004

Mr. Frank Monfeli
Project Manager
Rock Island District Corps of Engineers
Clock Tower Building - P.O. Box 2004
Rock Island, IL. 61204 - 2004

Dear Frank,


I am notifying you the City of Beardstown has reached a difficult but a necessary decision concerning the sediment trap and proposed dredging at Beardstown. We have studied all available options given to us by your agency and have concluded the sediment trap and channel dredging that allows access to the Beardstown Marina is our only viable choice at this time.

While I strongly disagree with your additional wetlands mitigation requirements as outlined in Colonel Gapinski's letter dated December 17, 2003. We will reluctantly accept those conditions.

I do want you to know that we feel those condition are excessive and impose an undo hardship on the City. They are very different requirements than were originally agreed to in October of 2003. It is our intention to work with all parties concerned to amend those requirements if possible.

I also want to inform you that I fully intend to continue working diligently to do what ever is necessary to correct the injustice that citizens of Beardstown have endured because of the silt problems that exist. The decision to change the natural flow of the Sagamon River has resulted in a very expensive and tragic disaster for Beardstown residents and the people of Illinois.

Sincerely,


Bob Walters
Mayor

CC: Congressman Ray LaHood
US Senator Dick Durbin
US Senator Peter Fitzgerald

IL State Senator John Sullivan
State Rep. Art Tinhouse
Jim Tywford



Illinois Department of Natural Resources

One Natural Resources Way • Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Rod R. Blagojevich, Governor

Joel Brunsvold, Director

March 26, 2004

Mr. Kenneth A. Barr
Chief, Economic and Environmental Analysis Branch
Rock Island District, Corps of Engineers
Clock Tower Building, P.O. Box 2004
Rock Island, Illinois 61204-2004

Dear Mr. Barr:

This concerns your agency's recent Environmental Assessment (EA) and draft Finding of No Significant Impact (FONSI) addressing a proposed experimental sediment trap at the mouth of the Sangamon River in Beardstown, Cass County, Illinois. Excavation of a pilot channel to provide access for a dredge pipeline between the sediment trap and a placement site will result in impacts to approximately 0.4 acres of wetlands and mudflats.

The Department of Natural Resources has previously recommended that mitigation for the wetland impacts be performed by creating 0.8 acres of additional ephemeral breeding habitat for the Illinois chorus frog (*Pseudacris streckeri*) in the area designated Site 3 in the EA. However, our February 19, 2004 letter concerning the project pointed out that the Illinois Department of Transportation is planning the reconstruction and relocation of Illinois Route 125 along the south edge of Beardstown, and that the proposed ephemeral breeding habitat may lie adjacent to, or within, the planned highway right-of-way. We requested that your agency coordinate closely with IDOT to ensure the breeding ponds are constructed in a manner and location that will not conflict with future highway construction.

Members of my staff recently participated in a conference call with Gail Clingerman of your agency, Kraig McPeck of the U.S. Fish and Wildlife Service, and Dennis O'Connell of the Illinois Department of Transportation to discuss IDOT's concerns and alternative measures by which the project's impacts might be mitigated. Mr. O'Connell emphasized that construction of additional breeding ponds at Site 3 appears likely to constrain IDOT's future highway construction, and proposed that wetland mitigation for the sediment trap project be performed at IDOT's new mitigation bank which will soon be developed southwest of Beardstown at the confluence of the LaMoine and Illinois rivers.

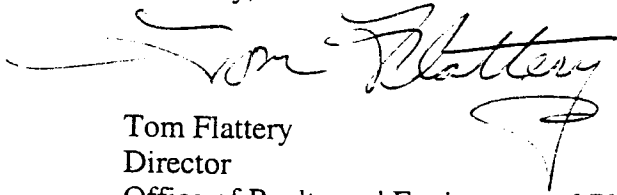
The Department believes this new proposal has merit, and will allow full mitigation of the wetland impacts without foreclosing future options relating to highway construction. Use of the mitigation bank will also allow in-kind replacement of forested wetland, the habitat type to be

Mr. Kenneth A. Barr
March 26, 2004
Page Two

impacted by the sediment trap, albeit at a somewhat greater distance from the impact site. Recognizing that the mitigation bank is still in the planning stages and no credits are currently available, the Department would support your agency proceeding expeditiously with the sediment trap project subject to a commitment to perform the required wetland mitigation at such time as the mitigation bank becomes available.

We are available to discuss this issue further with your agency and IDOT as may be necessary to achieve a mutually satisfactory resolution.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Flattery", with a stylized flourish at the end.

Tom Flattery
Director
Office of Realty and Environmental Planning

TF:rs

cc: IDOT (O'Connell, Bushur-Hallam)
USFWS (McPeck)
IDNR (Furr, Schanzle, Hamer, Malone)

FINDING OF NO SIGNIFICANT IMPACT
SANGAMON EXPERIMENTAL SEDIMENT TRAP
LA GRANGE POOL
ILLINOIS WATERWAY RIVER MILE 88.9L

I have reviewed the information in this Environmental Assessment, along with data obtained from Federal and State agencies having jurisdiction by law or special expertise, and from the interested public. I find that the hydraulic dredging of a 5.1-acre sediment trap, the mechanical dredging of an 850-foot by 40-foot pilot channel with associated 0.4 acre of wetland impacts, and the placement of dredged material on a 300-foot by 600-foot placement site within the Beardstown harbor would not significantly affect the quality of the human environment. The preferred alternative is the most feasible and practicable alternative to meet the project goals. Therefore, it is my determination that an EIS (Environmental Impact Statement) is not required. This determination will be reevaluated if warranted by later developments.

Alternatives considered along with the preferred action were:

- No Project
- Sediment trap, harbor placement site with overland pipe access
- Sediment trap, DMMP Site 1 placement site
- Sediment trap, DMMP Site 3 placement site
- Sediment trap, harbor placement site, and pilot channel in low water conditions
- Sediment trap in high water, harbor placement site

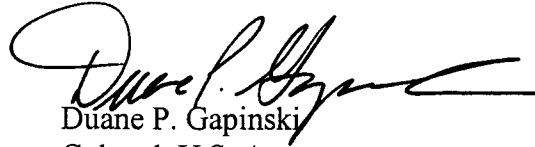
Factors considered in making the determination that an EIS was not required are as follows:

- a. Implementation of the preferred alternative would involve approximately 0.4 acre of wetland impacts. Approximately 0.8 acre of wetlands at Mitigation Site 3 will be created as compensatory mitigation to replace the wetland functions and values to be lost as a result of this project. Mitigation Site 2 remains as an alternative if Site 3 becomes infeasible.
- b. The proposed project would not significantly affect water quality of the Illinois River or cultural/historic resources.
- c. The proposed project would have no effect on federally or state listed endangered or threatened species.
- d. No farmland conversion to non-agricultural uses are proposed.
- e. The proposed project has identified and taken into account cumulative impacts and would not cumulatively exceed any known biological or social threshold.

f. The District and the Illinois State Historic Preservation Officer, Illinois Historic Preservation Agency, Springfield, Illinois and the Advisory Council on Historic Preservation have signed a PA (Programmatic Agreement) to meet the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations 36 CFR Part 800: "Protection of Historic Properties." The PA is appropriate to address potential concerns to any significant historic properties.

8 Apr 2004

Date

A handwritten signature in black ink, appearing to read "Duane P. Gapinski", with a long horizontal flourish extending to the right.

Duane P. Gapinski
Colonel, U.S. Army
District Engineer

**SANGAMON EXPERIMENTAL SEDIMENT TRAP
LA GRANGE POOL
ILLINOIS WATERWAY RIVER MILE 88.9L**

**CLEAN WATER ACT
SECTION 404(b)(1) EVALUATION**


**SECTION 3 - FINDINGS OF COMPLIANCE OR NONCOMPLIANCE
WITH THE RESTRICTIONS ON PLACEMENT**

1. This experimental sediment trap project has been evaluated in accordance with the 404(b)(1) Guidelines and is expected to comply with those guidelines with the inclusion of conditions imposed by the Illinois Environmental Protection Agency in the Section 401 Water Quality Certification. This one time experiment would involve the permanent filling of approximately 3 acres of open water within the Beardstown harbor area of Muscooten Bay and the excavation of approximately 0.4 acre of wetlands and mudflats to an open water channel.
2. Alternatives that were considered in addition to the preferred alternative were as follows:
 - No Project
 - Sediment trap, harbor placement site with overland pipe access
 - Sediment trap, DMMP Site 1 placement site
 - Sediment trap, DMMP Site 3 placement site
 - Sediment trap, harbor placement site, and pilot channel in low water conditions
 - Sediment trap in high water, harbor placement site
3. Certification under Section 401 of the Clean Water Act would be obtained from the State of Illinois prior to implementation.
4. The project would not introduce hazardous or toxic substances into the waters of the United States nor result in appreciable increases in existing levels of toxic materials.
5. No significant impact to state or federally listed threatened or endangered species is anticipated from this project.
6. No municipal or private water supplies would be affected. There would be no adverse impacts to recreational or commercial fishing.
7. No contamination of the river is anticipated. The permanent filling of approximately 3 acres of open water and the excavation of 0.4 acre of wetlands and mudflats is not considered to have significant impacts to the riverine environment although it will have adverse environmental effects, both separately and cumulatively.

8. The No Action alternative is the only practicable alternative that has been identified other than the preferred alternative.

9. Approximately 0.8 acre of wetlands will be created as Mitigation Site 3 to offset the loss of 0.4 acre of wetlands and mudflats to create the pilot channel. Mitigation Site 2 would be constructed if Site 3 becomes infeasible.

8 Apr 2004
Date


Duane P. Gapinski
Colonel, U.S. Army
District Engineer